MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA

JULY 18, 2017

CALL TO ORDER:
Mayor Patino called the meeting to order at 5:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Cordero, Moats, Waterfield, and Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Assistant City Attorney Mollenkopf, Utilities Director Springer, and Deputy City Clerk Cleary.

PUBLIC COMMENT:
There were no requests to speak.

RECESS:
Mayor Patino recessed to a Closed Session at 5:31 p.m. for:

1) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE pursuant to Government Code Section 54957(b); and

2) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION pursuant to Section 54956.9 (4) (d) of Government Code: (one potential case); and

3) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Section 54956.9 (1) (d) of the Government Code. David McDaniel v. City of Santa Maria, Workers' Compensation Appeals Board Case No. ADJ8488421; and

4) CONFERENCE WITH LEGAL COUNSEL – LIABILITY CLAIMS pursuant to Government Code Section 54956.95, Claimant: Fred Bertram, Claim No.: SATM-547916, Agency Claimed Against: City of Santa Maria; and

5) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Section 54956.9 (1) (d) of the Government Code. Cris Dodos v. City of Santa Maria, Workers' Compensation Appeals Board Case No. ADJ10446324.

INVOCATION:
Pastor Mauro Cervantes, of Luz del Cielo Church, gave the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Boysen led the Pledge of Allegiance.

RECONVENE THE MEETING AND CALL TO ORDER:
Mayor Patino reconvened the meeting and called the meeting to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Cordero, Moats, Waterfield, and Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Fire Chief Champion, Police Chief Hansen, Director of Finance Harvey, City Librarian Housel, Director of Community Development Ng, Director of Recreation & Parks Posada, Director of Utilities Springer, and Deputy City Clerk Cleary.

CLOSED SESSION REPORT:
Following the Closed Session, City Attorney Trujillo reported that with Item Nos. 1, 3, 4, and 5, there was no reportable action. Regarding Item No. 2, direction to intervene in pending litigation was given pursuant to Government Code Section 54957.1. Information concerning the action, the defendants, and other particulars shall, once formally commenced, be disclosed to any persons upon inquiry.

1. PROCLAMATIONS/COMMENDATIONS/PRESENTATIONS:

A. PROCLAMATION – RECREATION AND PARKS MONTH
Councilmember Waterfield presented a proclamation declaring July 2017 as "Recreation and Parks Month." Recreation & Parks Commissioner Rebecca Carey, along with Alannah Robb and Patrick Sims, accepted the proclamation.

B. HOMETOWN HEROES PRESENTATION

Mayor Patino and Director of Recreation & Parks Posada presented the Hometown Heroes certificates to the *Summer of 2017* honorees. The banners will be hung on the South College Drive light standards for a period of six (6) months. The honorees were Alycia Cantua – Air Force; Don Fillmore – Navy; Gerardo M. Chavez – Army; Harvey E. Lobo – Navy; John Allen – Army; John Alvarado – Army; Pete S. Salazar – Army; Richard E. Simpson – Army; Venancio "Van" Diaz – Navy; William G. Wurth – Navy; and Glen Preskop – Air Force.

C. COMMENDATION – CORPORAL LOUIS TANORE

Councilmember Cordero presented Resolution No. 2017-75 thanking and commending Corporal Louis Tanore for his 25 years of outstanding service to the residents and businesses of the City of Santa Maria, which was adopted on motion by Councilmember Cordero, seconded by Councilmember Boysen, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Cordero, Moats, Waterfield, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2017- 75 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, COMMENDING SANTA MARIA POLICE CORPORAL LOUIS TANORE FOR HIS 25 YEARS OF OUTSTANDING SERVICE TO THE CITY OF SANTA MARIA AND CONGRATULATING HIM ON HIS RETIREMENT.

Corporal Tanore thanked the City Council and City staff for the commendation saying he felt privileged to be able to work with the City for so long and to be leaving at a time when things were going very well.

Police Chief Hansen thanked Corporal Tanore for his service and let everyone know that Mr. Tanore had not only served the City of Santa Maria, but also the City of Pismo Beach, and with the U.S. Marine Corps.

D. INTRODUCTION OF THE NEW CHIEF OF POLICE

City Manager Haydon introduced the new Chief of Police, Phil Hansen, saying that Mr. Hansen had been with the City since 2013 having been hired by Chief Ralph Martin. With the assistance of Chief Hansen, the Santa Maria Police Department has turned into one of the premier law enforcement agency on the Central Coast. Chief Hansen has over 40 years of law enforcement experience having served with the Los Angeles County Sheriff's Department for 36 years prior to coming to Santa Maria. He also was the Chairman for the National Tactical Police Officer's Association. Mr. Hansen holds a Bachelor's Degree in Business Administration from California State University Northridge and a Master's Degree in Leadership from USC.

Mayor Patino administered Chief Hansen's Oath of Office and Mr. Hansen's wife, Debbie, pinned on his badge.

Chief Hanson commented on how privileged he felt being able to work for the City of Santa Maria. He promised his staff that he would be honest, fair, and objective while representing them to the best of his ability. He promised the residents of the City of Santa Maria he would serve and protect them to the best of his ability regardless of age, gender, social status, their origins or what language they speak. He promised them the Police Department would serve them with courage and dignity.

2. PUBLIC COMMENT PERIOD

Mary Clark spoke about the fireworks and their negative effect on the elderly and animals.

Sara Macdonald spoke against the fireworks and encouraged the Council to enforce zero tolerance.

Danny Mogg stated he was surprised to learn what the salaries were for some City staff when he read the staff report for Item 3C on the Consent Calendar. He also spoke in favor of district elections. He asked why the public was not engaged in the decision to hire Police Chief Hansen.

Lea-Marie Mix spoke about fireworks in the City. She suggested expanding the fireworks show and charging an admission fee which would be shared with the non-profits in town, instead of allowing those organizations to sell fireworks. She also said she would be happy to volunteer to work with the Fire and Police Departments to reduce the use of illegal fireworks in the City.

Vivian Engel indicated she would be putting in a request to change her lot from R-1 to R-2 and presented architectural plans to the Community Development Director.

Cynthia Gudino spoke in favor of expanding the housing rental market in the City. She also spoke against the proposed reclassification of a couple of City staff positions (Agenda Item 3C) and questioned how the City could be considering furloughs at the same time it is considering pay raises.

Morris Sobhani spoke about his disappointment that the Council did not approve his project to build a clinic on Farnel Road. He asked that Council bring the item back to a future Council meeting.

Stephanie Ross spoke about the fireworks and the problems with how frequently fireworks are used throughout the year. She said she was disappointed there were no citations issued this year and asked that the City increase its efforts enforcing the fireworks regulations next year.

Ernest Armenta spoke about the City's financial situation and suggested a two-tier retirement system.

City Manager Haydon commented on the voluntary time off program (Agenda Item 3E), saying it was not a mandatory furlough, but rather voluntary. The increased salaries item on the agenda is legally required as the staff in those position are doing tasks outside of their job specifications. He invited Fire Chief Champion to give a report on the 4th of July fireworks. He added the problem with issuing citations is that the officer must see the perpetrator actually light the fireworks and that is not always possible. Despite the number of phone calls the City received, there was only one resident who was willing to sign their name to their fireworks complaint.

Chief Champion gave a summary regarding the fireworks show this year. More than 1,200 people attended the event. The Fire Department received 31 calls (36 were received last year), the majority of them being received after 6:00 p.m. There were two (2) small grass fires, one related to fireworks and one Dumpster fire. Last year there were four (4) grass fires and five (5) Dumpster fires. There were no reports of property damage or injuries this year. One citation was issued (13 were issued last year). Last year the Fire Department spent over $20,000 in overtime enforcing fireworks. Last year, the City spent about $80,000 enforcing fireworks regulations in the Police Department. This year efforts went into prevention and education, and included an extensive campaign with the media. Very few complaints were received in the department and those that were received were addressed by the Fire Marshall. The Municipal Code allows for up to 34 fireworks booths. The City had 25 booths. There was some concern by residents regarding booths operating from outside City limits, however, per the City's Municipal Code, the metropolitan area of the City includes surrounding unincorporated parts of the County such as Orcutt. Of the 25 total booths, 15 booths are operated by non-profits that actually operate within the City limits. There is also a waiting list of 15 non-profits hoping to participate in fireworks sales fundraisers in the future.

Chief Champion added he had spoken with County Animal Services and a total of 44 animals were gathered during the two days prior to and two days after the 4th of July holiday. He also indicated the Police Department received about 250 calls to their fireworks hotline and responded to them in the order received.

Councilmember Waterfield asked if there could be increased and earlier fireworks enforcement next year, beginning in January. She also suggested the Task Force be included in the planning stages of the show along with Public Comment speaker, Lea-Marie Mix, who had volunteered to work on the issue with the Police and Fire Department.

Councilmember Moats asked if it was the Police or Fire Department that was responsible for monitoring fireworks users in the City.

Chief Champion responded that it was both. Police officers could write the citations, while firefighters conducted the prevention and safety efforts. Last year firefighters were coupled with police officers working as teams.

Councilmember Cordero commented that he agreed fireworks usage was higher this year than last. He also added that there is a significant amount of money that non-profits make selling fireworks and he asked how the community could replace that money if fireworks sales were reduced. He said many people were bringing in fireworks from outside the City.

Chief Champion agreed it was difficult to control fireworks being imported from outside the City.

City Manager Haydon indicated the City still has the contact information for the community group that met last year and he suggested regrouping with them in the fall along with members of the Police and

Fire Departments, and Code Compliance, to begin earlier efforts as a task force enforcing fireworks regulations.

Mayor Patino suggested a neighborhood watch be instigated in certain neighborhoods, too.

3. CONSENT CALENDAR:
Mayor Patino gave the legally required oral report announcing the summary of Council action on salaries, salary schedules, and fringe benefits for Executive Managers as required by Government Code Section 54953. Agenda Item 3C is a recommendation to approve a reclassification of the Deputy City Manager to Assistant City Manager which would equate to a 5.86 percent salary increase.

Councilmember Waterfield recused herself from voting on Item 3G (Warrants) due to a financial conflict.

Consent Calendar Items 3A through 3O (except 3G) were approved on motion by Councilmember Boysen, seconded by Councilmember Cordero, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Cordero, Moats, Waterfield, and Mayor Patino.
NOES: None
ABSENT: None
ABSTAIN: None

Consent Calendar Item 3G only (Warrants) was approved on motion by Councilmember Boysen, seconded by Councilmember Cordero, and carried on the following vote: 4-0-1

AYES: Councilmembers Boysen, Cordero, Moats, and Mayor Patino.
NOES: None
ABSENT: None
ABSTAIN: Councilmember Waterfield

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the regular Meeting of the City Council of June 20, 2017, were approved as submitted.

C. 2017-18 PERSONNEL CHANGES AND CONFLICT OF INTEREST CODE AMENDMENTS
Resolution Nos. 2017-76 and 2017-77 were adopted authorizing the creation of new classifications, reclassifications to existing positions, adjustments to salary ranges, approving job specifications, abolishing classifications no longer in use, and amending the Conflict of Interest Code as authorized in the 2017-18 Amended City Budget.

Resolution No. 2017-76 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A NEW CLASSIFICATION AND MODIFICATION TO A SALARY RANGE AS A RESULT OF THE AMENDMENTS TO THE ADOPTED 2017-18 BUDGET.

Resolution No. 2017-77 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING APPENDIX "A" OF THE CONFLICT OF INTEREST CODE FOR DESIGNATED FILERS OF THE CITY OF SANTA MARIA.

D. DESIGNATION OF VOTING DELEGATES
Mayor Patino was designated the Voting Delegate, and Deputy City Manager Stilwell as the Alternate, for the League of California Cities' 2017 Annual Conference.

E. VOLUNTARY TIME OFF PROGRAM
Resolution No. 2017-78 was adopted designating the period of August 1, 2017, through December 31, 2018, as a period of economic hardship for the City of Santa Maria, and authorizing the City Manager to implement a Voluntary Time Off Program for City staff.

Resolution No. 2017-78 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, DESIGNATING A PERIOD OF ECONOMIC HARDSHIP AND IMPLEMENTING A VOLUNTARY TIME-OFF (VTO) PROGRAM.

F. FAITHFUL PERFORMANCE BOND – ENOS RANCHOS, TRACT 6000
The City Council accepted as complete the public improvements associated with the Bradley Road storm drain system, Meehan Road, Shepard Drive, and Betteravia Road, excluding the traffic signal

at Betteravia Road and Bradley Road for Enos Ranchos, Tract 6000; and authorized the further reduction of the Faithful Performance Bond posted in the form of a Surety to guarantee the construction and installation of public improvements to the reduced amount of $1,342,865.81.

G. WARRANTS
Warrant Nos. 208299 to 208845 totaling $4,926,583.58 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Finance. Warrant Nos. 199718, 200255, 203704, 203810, 203865, and 207674 were cancelled.

H. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Finance and having been approved for payment by the Director of Finance.

I. 2017 INVESTMENT POLICY
Resolution No. 2017-79 was adopted approving the City of Santa Maria's 2017 Investment Policy and delegating the authority for implementing the Investment Policy and oversight responsibility to the City's Investment Officer.

Resolution No. 2017-79 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING THE 2017 INVESTMENT POLICY AND DELEGATING THE AUTHORITY FOR IMPLEMENTING THE INVESTMENT POLICY AND OVERSIGHT RESPONSIBILITY TO THE CITY'S INVESTMENT OFFICER.

J. 2017-18 COMMUNITY DEVELOPMENT BLOCK GRANT ALLOCATIONS
This item was postponed to the August 1, 2017 City Council Meeting.

K. ALCOHOLIC BEVERAGE LICENSE FOR BROADWAY MARKET & LIQUOR
Resolution No. 2017-82 was adopted approving a determination of public convenience for a Type 21 (Off-Sale General) alcoholic beverage license for the existing Broadway Market & Liquor located at 1535 South Broadway.

Resolution No. 2017-82 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, DETERMINING THAT PUBLIC CONVENIENCE WILL BE SERVED WITH THE ISSUANCE OF A TYPE 21 (OFF-SALE GENERAL) ALCOHOLIC BEVERAGE LICENSE AT THE BROADWAY MARKET & LIQUOR STORE LOCATED AT 1535-A AND 1537-A SOUTH BROADWAY.

L. 2017 CHIP SEAL CONTRACT
Resolution No. 2017-83 was adopted awarding the bid for 2017 Chip Seal, Bid No. 2017/03, to Intermountain Slurry Seal in the amount of $484,484.

Resolution No. 2017-83 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A CONTRACT WITH INTERMOUNTAIN SLURRY SEAL INC. FOR BID NO. 2017/03, 2017 CHIP SEAL PROJECT.

M. GRANT AGREEMENT FOR URBAN FOREST INVENTORY/TREE PLANTING PROGRAM
Resolution No. 2017-84 was adopted ratifying a Cal Fire Grant Agreement in the amount of $259,075 to be used for an Urban Forest Inventory and Tree Planting Program.

Resolution No. 2017-84 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, RATIFYING A CAL FIRE GRANT AGREEMENT IN THE AMOUNT OF $259,075 TO BE USED FOR AN URBAN FOREST INVENTORY AND TREE PLANTING PROGRAM.

N. LANDSCAPE MAINTENANCE DISTRICT ASSESSMENTS
The City Council adopted Resolution Nos. 2017-85 and 2017-86 annexing and authorizing the assessment of landscape maintenance fees to the Northeast and Southwest Landscape Maintenance Districts.

Resolution No. 2017-85 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO BAY AVE MAP AND POSADA DEL SOL LOCATED IN THE NORTHEAST LANDSCAPE MAINTENANCE DISTRICT (STREETS AND HIGHWAYS CODE SECTION 22500, ET SEQ.)

Resolution No. 2017-86 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO A STREET DELI LOCATED IN THE SOUTHWEST LANDSCAPE MAINTENANCE DISTRICT (STREETS AND HIGHWAYS CODE SECTION 22500, ET SEQ).

O. CORRECTED PETITION FOR DIAMOND A EQUIPMENT. Resolution No. 2017-88 was adopted authorizing the corrected assessment of Landscape Maintenance Fees to Diamond A Equipment in the Northwest Landscape Maintenance District (Streets and Highways Code Section 22500, et seq), and ordered that the incorrect Assessor's Parcel Number number be removed from the Northwest Landscape Maintenance District.

Resolution No. 2017-88 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO DIAMOND A EQUIPMENT LOCATED IN THE NORTHWEST LANDSCAPE MAINTENANCE DISTRICT (STREETS AND HIGHWAYS CODE SECTION 22500, ET SEQ.).

4. APPOINTMENTS TO VARIOUS BOARDS AND COMMITTEES. Deputy City Clerk Cleary gave a presentation as detailed in the Council Agenda Report. The Council was asked to make appointments to the Block Grants Advisory Committee, Landmark Committee, Library Board of Trustees, and the Santa Barbara County Library Advisory Committee; and direct staff to re-advertise remaining vacancies on any other Board or Committee.

Public Input
There were no requests to speak.

Block Grants Advisory Committee
With four (4) vacancies on the committee, applications were received from incumbents Esther Acosta and Kelly White O'Neill. Incumbent Judi Frost did not reapply. Two (2) new applications were received from Cassandra Bennett and Kathy Hayes.

Councilmember Boysen nominated Kelly White O'Neill.
Councilmember Moats nominated Esther Acosta.
Councilmember Waterfield and Mayor Patino did not have any nominations.

Mayor Patino accepted the two (2) nominations and on motion, seconded by Councilmember Boysen, Esther Acosta and Kelly White O'Neill were reappointed to the Block Grants Advisory Committee to serve a term of three (3) years each ending in July 2020, and carried unanimously: 5-0

Landmark Committee
With one (1) vacancy on the Committee for an unexpired term ending in January 2018, one (1) new application was received from Kyler Corral.

On motion by Mayor Patino, seconded by Councilmember Cordero, Kyler Corral was appointed to the Landmark Committee to serve an unexpired term ending in January 2018, and carried unanimously: 5-0.

Library Board of Trustees
With one (1) term expiring on the Library Board of Trustees at the end of July 2017, incumbent Laura Selken reapplied. No other applications were received. On motion by Mayor Patino, seconded by Councilmember Cordero, Laura Selken was reappointed to the Library Board of Trustees to serve a term of three (3) years ending in July 2020, and carried unanimously: 5-0

Santa Barbara County Library Advisory Committee
With one (1) vacancy on the Committee for a term coterminous with the Santa Barbara Countywide Library Agreement, one (1) application was received from incumbent Marilyn Ayers.

On motion by Mayor Patino, seconded by Councilmember Waterfield, Marilyn Ayers was appointed to the Santa Barbara County Library Advisory Committee to serve a term coterminous with the Countywide Library Agreement, and carried unanimously: 5-0.

Staff was directed to continue advertising the remaining vacancies on the Block Grants Advisory Committee, Board of Appeals, Measure U2012 Citizens' Oversight Committee, and any other Board or Committee with vacancies.

PUBLIC HEARING

5. 2017 ANNUAL WEED ABATEMENT PROGRAM. Director of Public Works Kahn gave the presentation as detailed in the written Council Agenda Report. In March, the City mailed out 228 letters to property owners notifying them their property was in need of weed abatement. Most of the property owners (213 lots) took care of their own property. Thus, the City conducted weed abatement on 15 parcels. Staff recommended the cost of the abatement be placed on the property tax bill for these properties. The reimbursements would be collected by the Santa Barbara County Auditor-Controller's Office and refunded to the City.

Public Comment
Deputy City Clerk Cleary indicated that no formal written protests were received relating to the 2017 weed abatement assessments.

Mayor Patino opened the public hearing at 7:50 p.m. and immediately closed the public hearing having no requests to speak.

Council Discussion
There was no discussion by the City Council.

Resolution No. 2017-89 was adopted confirming the report of weed abatement costs and directing the costs to be submitted to Santa Barbara County for collection with the 2017-18 property tax rolls, on motion by Councilmember Cordero, seconded by Councilmember Waterfield, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Cordero, Moats, Waterfield, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2017-89 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE REPORT OF WEED ABATEMENT COSTS FOR SPECIAL ASSESSMENT PURPOSES AND AUTHORIZE THE COLLECTION OF SAID SPECIAL ASSESSMENTS.

6. 2017 TECHNICAL AMENDMENTS TO THE SANTA MARIA MUNICIPAL CODE. Assistant City Attorney Mollenkopf gave a presentation as detailed in the Council Agenda Report. Each year, departments are invited to submit Santa Maria Municipal Code (SMMC) change requests to the City Attorney's Office for updating, clarification, simplification, clerical corrections, etc. These additional proposed 2017 Technical Amendments to the SMMC would amend various sections of the Santa Maria Municipal Code relating to the Director of Finance, Personnel, Property Nuisances, No-Stopping Zones, Fire Code, Zoning, and Fee Schedules. The majority of updates are clerical or reflect current practice.

Councilmember Cordero clarified that the ordinance being introduced was not going to change any actions, but was merely wordsmithing.

Assistant City Attorney Mollenkopf confirmed that the ordinance was not making significant changes to any activities.

Public Input
Ernest Armenta asked for, and received, clarification on a portion of the staff report.

Council Discussion
There was no Council discussion.

Ordinance No. 2017-10 was introduced by title only for first reading, and continued to the next meeting for second reading and adoption, amending various sections of the Santa Maria Municipal Code relating to the Director of Finance, Personnel, Property Nuisances, No-Stopping Zones, Fire Code, Zoning, and Fee Schedules, on motion by Councilmember Boysen, seconded by Councilmember Waterfield, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Cordero, Moats, Waterfield, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2017-10 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE SANTA MARIA MUNICIPAL CODE RELATING TO THE DIRECTOR OF FINANCE, PERSONNEL, PROPERTY NUISANCES, NO-STOPPING ZONES, FIRE CODE, ZONING, AND FEE SCHEDULES.

7. URGENCY ORDINANCE EXTENSION – MORATORIUM ON CANNABIS. The City Council considered a resolution extending the expiration date of Urgency Ordinance No. 2016-18 imposing a moratorium on the manufacturing, processing, laboratory testing, labeling, storing, and wholesale and retail distribution of cannabis. The Council was also asked to consider introducing an ordinance repealing Chapter 12-54, Cannabis Regulations, from the Zoning Code (Title 12), and adding new Chapter 6-12, Cannabis Regulations, in the Public Safety and Welfare Code (Title 6) of the Santa Maria Municipal Code.

In November 2016, California voters voted for Proposition 64 allowing the adult use of marijuana prompting Counties and Cities throughout the State to decide how they preferred to regulate marijuana use locally. The City of Santa Maria created Urgency Ordinance No. 2016-18. The resolution this evening would extend that Urgency Ordinance for one (1) more year. In addition, a new ordinance was being introduced that places the regulation of marijuana use into the *nuisance* portion of the Municipal Code. With the exception of delivery to approved medical marijuana users, the ordinance bans commercial activities, but protects the rights of individuals that are 21 years and older to possess and consume marijuana as well as to cultivate up to six (6) plants within a private residence. Smoking or ingesting marijuana or marijuana products while driving a motorized vehicle would still be against the law.

Councilmember Boysen asked how many times the Urgency Ordinance could be extended.

Assistant City Attorney Mollenkopf responded that it could be extended two times and extending it tonight would be the second, and last time it could be extended.

Councilmember Waterfield asked for the term "growing" to be included in the wording of the ordinance.

Assistant City Attorney Mollenkopf responded that "growing" was part of the wording already.

Councilmember Moats asked if the City was issuing residential permits. He commented that, according to the staff report, the City could charge $500 from medical marijuana transporters who bring medical marijuana into the City. He asked how much medical marijuana was being delivered from San Luis Obispo.

Assistant City Attorney Mollenkopf said the City had not yet created a permit process, but could at Council's direction. She also said it would be hard to enforce as the ordinance required residents to grow the plants out of sight of the public. She added the City had no way of tracking the amount of marijuana being brought into the area.

Councilmember Boysen asked if the resolution was passed but the proposed permanent ordinance was not introduced, could Council introduce it later in the year. He stated he was concerned about minimizing the unintended consequences of the ordinance.

Assistant City Attorney Mollenkopf responded that the Urgency Ordinance could be extended to August 2018, and Council could direct the City Attorney's Office to draft a new ordinance with different direction; or they could pass the ordinance and, at any time, make amendments to it.

Councilmember Moats commented on the Cannabis Enforcement Committee that was set up to monitor what other cities are doing with the issue. He asked if they could make a report before the Council was asked to make any decisions.

Assistant City Attorney Mollenkopf responded that she, Assistant City Manager Stilwell, a representative from the City Rangers, and a representative from the Police Department were on the Committee and all the information in the staff report represented the Committee's findings. She added that the Committee recommended adopting the new ordinance being presented.

Public Comment

Ernest Armenta spoke in opposition to the new ordinance and questioned allowing marijuana to be imported from San Luis Obispo County.

Council Discussion
Councilmembers Boysen and Moats agreed they preferred to adopt the resolution extending the ordinance, and direct the City Attorney's Office to draft an ordinance that was in the best interest of the City.

Councilmember Moats suggested allowing THC level testing laboratories would be a good revenue source (taxes) for the City.

Resolution No. 2017-90 was adopted extending Urgency Ordinance No. 2016-18 by one (1) year prohibiting manufacturing, processing, laboratory testing, labeling, storing and wholesale and retail distribution of cannabis, on motion by Councilmember Boysen, seconded by Councilmember Moats, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Cordero, Moats, Waterfield, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2017-90 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, EXTENDING URGENCY ORDINANCE NO. 2016-18 BY ONE (1) YEAR PROHIBITING MANUFACTURING, PROCESSING, LABORATORY TESTING, LABELING, STORING AND WHOLESALE AND RETAIL DISTRIBUTION OF CANNABIS.

Ordinance No. 2017-11 repealing Chapter 12-54, Cannabis Regulations, from the Zoning Code (Title 12), and adding new Chapter 6-12, Cannabis Regulations, in the Public Safety and Welfare Code (Title 6) of the Santa Maria Municipal Code was NOT introduced.

8. SETTING A NEW TIME FOR REGULARLY SCHEDULED CITY COUNCIL MEETINGS. The City Council considered an ordinance amending the Santa Maria Municipal Code to revise the start time for regularly scheduled City Council meetings.

City Manager Haydon gave a presentation as detailed in the Council Agenda Report. At the June 20th City Council meeting, the idea of an early start time was raised. An earlier start time would allow for more discussion on certain agenda items, and provide the opportunity for meetings to end earlier. An early start time could lead to an increase in public participation, more of a youth presence at meetings, and would also allow the media to have more time to draft their news articles and submit them for publication the next day.

Councilmember Boysen suggested trying a 5:30 p.m. start time and allowing public comment at the beginning and the end of the meetings. After six (6) months, the Council could evaluate how well that time was working for everyone.

There was consensus by the rest of the Council to try that.

Public input
Janet Cruz encouraged the Council to keep the start time of Council meetings at 6:30 p.m. in order for families to come to the meeting after dinner and students to arrive after classes.

Ernest Armenta spoke in support of a 6:30 p.m. start time.

Cynthia Gudino commented on One Community Action Coalition's effort to increase public participation at public meetings, and her belief that the start time of meetings should remain at 6:30 p.m. in order to allow field workers and families to attend after dinner.

Council discussion
Councilmember Cordero spoke in support of a 5:30 p.m. start time that would allow students to come participate and the media to get their stories in earlier. He said he supported trying this for six (6) months to see how 5:30 p.m. was working for everyone, and he clarified that the decision to change the time was not an effort to exclude anyone from participating.

Mayor Patino commented that the earlier start time might be better for seniors who do not like driving at night.

City Attorney Trujillo indicated that having a public comment period at the end of the meeting was a possibility.

Ordinance No. 2017-12 was introduced for first reading and continued to the next meeting for second reading and adoption, amending Section 2-1.01 of Chapter 2-1 of the Santa Maria Municipal Code changing the start time of City Council meetings to 5:30 p.m., on motion by Councilmember Boysen, seconded by Councilmember Cordero and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Cordero, Moats, Waterfield, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

City Manager Haydon indicated that the new start time of 5:30 p.m. would not take effect until the September 5, 2017, City Council meeting. He added that participants commenting at the end of the meeting would not have the opportunity to comment on items previously voted on by Council at that meeting, but would be welcome to speak on items not on the agenda.

REPORT BY CITY MANAGER:
City Manager Haydon reported the next City Council meeting would be August 1, 2017. Items on the agenda will include the second readings of ordinances introduced this evening; the 2017-18 CDBG Action Plan; the Award of Bid for the 2017 Slurry Seal; a C3H presentation; and two public hearings – one regarding shopping carts in the City and one for a permit process in City parks.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS (INCLUDING AB1234 REPORTS):
Councilmember Cordero reported that he attended Police Chief Martin's farewell luncheon; the Mayor's Task Force meeting; a CAC Planning Commission meeting; Bob Orach's Dedication Ceremony for Bob Orach Park; and a pre-fair reception at the Fairgrounds.

Councilmember Moats reported that he attended Police Chief Martin's farewell luncheon and the Mayor's Task Force meeting.

Councilmember Waterfield reported that she attended Police Chief Martin's farewell luncheon; a meeting with interpreter Carlos Escobedo; Doug Shearer's retirement dinner; Downtown Friday Nights; the Mayor's Task Force meeting; Bob Orach's Dedication Ceremony for Bob Orach Park; the pre-fair awards dinner; the State of the City presentation; and gave a presentation to the One Way Water Polo Team acknowledging them for making it to the Junior Olympics Semi-Finals.

Councilmember Boysen reported he attended a meeting with a 501(c)3 subsidiary of the Housing Authority of Santa Barbara County and several meetings with CCWA regarding the acquisition of Table A water.

Mayor Patino reported that she attended Police Chief Martin's farewell luncheon; a meeting with a constituent to discuss youth football; the Mayor's and City Manager's meeting in Solvang; Doug Shearer's retirement party; Downtown Fridays; the opening ceremony for Relay for Life; the general membership meeting of the League of Women Voters; Concerts in the Park; a 90th birthday party for Ruth Thornton at the Hagerman Sports Complex; the swearing-in ceremony of one new police officer and seven trainees; two public forums of the Mayor's Task Force on Youth Safety; a meeting with students at Pioneer High School as part of the Mayor's Task Force efforts; Bob Orach's Dedication Ceremony for Bob Orach Park; the California Women for Agriculture annual scholarship luncheon; the Airport District quarterly meeting; a get-together with the Crowd Car Club at Downtown Fridays; a meeting with students at Rice Elementary School; a Police Department Badge Pinning; the pre-fair reception; and spoke at the State of the City Presentation.

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ADJOURNMENT:
There being no further business before the City Council, Mayor Patino declared the City Council meeting adjourned at 8:46 p.m.

APPROVED:

August 1, 2017
Date

M. Beth Cleary
Deputy City Clerk and ex officio Clerk of the City Council

Alice M. Patino
Mayor of the City of Santa Maria

ATTEST:

M. Beth Cleary
Deputy City Clerk